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**OFFICE OF PETITIONS
ON PETITION**

In re Application of :
Frank PUTTKAMMER :
Application No. 10/619,038 :
Filed: July 13, 2003 :
Attorney Docket No. HANN0001 :

This is a decision on the petition under 37 CFR 1.137(b), filed January 13, 2006, and supplemented March 24, 2006, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed December 30, 2004, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on March 31, 2005.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03(c)(III)(C) and (D). The instant petition lacks item(s) (3). The instant petition include a cover sheet requesting revival under 37 CFR 1.137(b), however, the required statement of unintentional delay has not been provided.

The letter filed March 24, 2006 refers to a petition decision mailed March 16, 2006. No decision on petition was mailed on March 16, 2006.

It is noted that on December 19, 2005 the Office improperly accepted the power of attorney filed December 8, 2005. In this regard, the Revocation and New Power of Attorney filed December 8, 2005 failed to include a proper statement under 37 CFR 3.73(b). Therefore, in order for the power of attorney to be acceptable, compliance with 37 CFR 3.73(b) must be satisfied. A form for complying with the provisions of 37 CFR 3.73(b) may be found on the USPTO.gov website (Form No. PTO/SB/96).


Further correspondence with respect to this matter should be addressed as follows:

By Mail: Mail Stop PETITION
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The centralized facsimile number is (571) 273-8300.

Telephone inquiries should be directed to the undersigned at (571) 272-7099.


David Buccì
Petitions Examiner
Office of Petitions